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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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United States of America,

Plaintiff,

vs.

ALFREDO RIVERA,

Defendant.

Case No.: 2:16-mj-00720-NJK

Stipulation to Continue Preliminary Hearing
Date (First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel Bodgen,
United States Attorney, Susan Cushman, Assistant United States Attorney, counsel for the United
States of America and Chris Rasmussen., Esq., counsel for defendant ALFREDO RIVERA:

THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR
November 7, 2016, at 4:00 p.m. before U.S. Magistrate Judge Koppe be vacated and set to a time
convenient for the Court, but no earlier than 45 days from the current setting.

This stipulation is entered into for the following reasons:

1. The government will provide counsel for the defendant with limited Rule 16 Discovery
and a written plea agreement. Counsel for the defendant requests an opportunity to review
the discovery and discuss the proposed plea agreement with his client prior to a
preliminary hearing or an indictment.

2. Counsel for the defendant and counsel for the government agree to the continuance.
3. The defendant is detained and agrees to the continuance.
4. Denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested by this Stipulation is excludable in computing the time from the filing of the criminal complaint through which the government must assert an criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the first request for a continuance.

Dated this 27 day of October, 2016.

Respectfully Submitted,

DANIEL G. BOGDEN
United States Attorney

/S/
SUSAN CUSHMAN
Assistant United States Attorney

/S/
CHRIS RAMUSSEN
Counsel for defendant

DANIEL G. BOGDEN
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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United States of America,

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Defendant.

Case No.: 2:16-mj-00720 NJK

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The period within which the government may assert an Information or seek an Indictment through the Grand Jury against the defendant is hereby extended from the date of the filing of the complaint up through and including December 12, 2016.
2. Both sides agree to the continuance.
3. The defendant is detained and agrees to the continuance.
4. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United

1 States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States
2 Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

3 4. This is the first request to continue the preliminary hearing.

4 For all of the above-stated reasons, the end of justice would best be served by a
5 continuance of the preliminary hearing.

6 ORDER

7 IT IS ORDERED that the preliminary hearing currently scheduled for November 7, 2016,
8 at 4:00 p.m. be vacated and continued to January 4, 2017, at the hour of
9 4:00 p.m., in Courtroom 3C.

10 DATED this 27th day of October 2016.

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13 UNITED STATES MAGISTRATE JUDGE
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